

DEPARTMENT OF BOATING AND WATERWAYS

2000 EVERGREEN STREET, SUITE 100
SACRAMENTO, CA 95815-3888
(888) 326-2822
www.dbw.ca.gov



To: Boating and Waterways Commission Members
From: Department of Boating and Waterways, Legislative Unit
Subject: LEGISLATIVE REPORT, March 20, 2013

This report was prepared on March 11, 2013.

ASSEMBLY BILLS

AB 8 (Parea) Alternative fuel and vehicle technologies: funding programs. This bill would, among other things, extend the increase to new vessel registration fees that was enacted by AB 118 (Chapter 750, Statutes of 2007). The increase amount was \$10 per year or \$20 per biennium and would not be changed by this bill.

Sponsor: Author

Status: In Assembly Transportation Committee (01/14/2013)

Department Position: No Position

AB 425 (Atkins) Pesticide: antifouling paint: pesticide registration: evaluation. This bill would require the Department of Pesticide Regulation, no later than February 1, 2014, to evaluate whether to register copper-based antifouling paint, and to make recommendations for appropriate mitigation measures that may be implemented to protect aquatic environments from the effects of exposure to that paint if it is registered as a pesticide. The bill would require the department, as part of that evaluation process, to determine a leach rate for copper-based antifouling paint used on recreational vessels.

Sponsor: Author

Status: Introduced (02/19/2013)

Department Position: No Position

AB 763 (Buchanan) Invasive aquatic plants: control and eradication. This bill would make legislative findings about aquatic invasive plants and would enact related new provisions. These provisions include: 1) designating the Department of Boating and Waterways as the lead agency for identifying, detecting, controlling, and administering programs to control and eradicate invasive aquatic plants statewide; and 2) requiring the Department to regularly consult with federal agencies, the University of California, and others in prioritizing plants for treatment. This bill would require the Department of Fish and Wildlife to conduct a risk assessment of any invasive plant identified as a threat, as specified, and to report its findings to the Department of Boating

and Waterways for action as necessary to control or eradicate the plant. This bill would define the terms “invasive aquatic plant” and “invasive.” The main purpose of this bill is to create a framework for identifying and assessing the risk of invasive aquatic plants such that the appropriate state agencies may take action on newly identified plants without requiring legislation.

Sponsor: Author

Status: Introduced (02/21/2013)

Department Position: No Position

AB 865: Yacht and Ship Brokers Act: licensing. This bill would delete from statute the existing fee schedule for yacht and ship broker licensing and would replace it with authority for the Department of Boating and Waterways to adopt regulations that include a new fee schedule. This bill would also delete an obsolete requirement for a report to the Legislature. It would also authorize the Department to publish the required yacht and ship broker directory on its Internet web site in lieu of printing hard copies. Finally, this bill would provide the Department authority to adopt a fee schedule for licensing For-Hire Vessel Operators.

Sponsor: Author

Status: Introduced (02/22/2013)

Department Position: No Position

SENATE BILLS

SB 11 (Pavley) Alternative fuel and vehicle technologies: funding programs. This bill would, among other things, extend the increase to new vessel registration fees that was enacted by AB 118 (Chapter 750, Statutes of 2007). The increase amount was \$10 per year or \$20 per biennium and would not be changed by this bill.

Sponsor: Author

Status: Set for 04/02/2013 hearing in Senate Transportation and Housing Committee

Department Position: No Position

SB 122 (Lieu) Vessels: abandonment: abatement. This bill would delete the January 1, 2014 sunset date from the Department’s Vessel Turn-In Program, thereby extending the program indefinitely.

Sponsor: Author

Status: In Senate Natural Resources and Water Committee (01/31/2013)

Department Position: No Position

SB 427 (Monning) Vessels: equipment requirements: personal flotation devices.

This bill would amend the existing definition of the term “vessel” to ensure that existing boating safety laws and regulations are applicable to new types of equipment. This bill would also amend existing requirements for life jacket wear while on a vessel. These changes would include 1) how the different types of life jackets for various water recreation activities are described in statute, 2) when a life jacket must be worn by a child under 13 years of age, and 3) clarifying an existing exception to life jacket wear requirements for a performer preparing to participate or participating in a professional exhibition or other permitted event, as specified.

Sponsor: Author

Status: Introduced (02/22/2013)

Department Position: No Position

SB 457 (Monning) Vessels: collisions and accidents. This bill would amend the Harbors and Navigation Code to update boating accident reporting provisions to require reporting by law enforcement agencies that receive funding from the Department. Any law enforcement agency that does not report accidents as required could lose its grant funding from the Department for up to five fiscal years.

Sponsor: Author

Status: Introduced (02/22/2013)

Department Position: No Position

FEDERAL BILLS

Sequester: DBW anticipates a 5.1% reduction in federal funding from the Sport Fish Restoration and Boating Trust Fund for federal Fiscal Year 2013. DBW anticipates that this reduction would affect boating safety and education, law enforcement training and equipment grants, Boating Infrastructure Grants, Clean Vessel Act grants and media campaign, Aquatic Center grants, Boating Trails grants, and boating accident reporting and data analysis.